

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Reallocation of 470-512 MHz (T-Band) Spectrum	)	PS Docket No. 13-42
	)	(Terminated)

**ORDER**

**(Terminating Proceeding)**

**Adopted: January 13, 2021**

**Released: January 13, 2021**

By the Chief, Wireless Telecommunications Bureau, and Chief, Public Safety and Homeland Security Bureau:

1. On December 27, 2020, the President signed the Don't Break Up the T-Band Act (T-Band Act) into law as part of the Consolidated Appropriations Act, 2021.<sup>1</sup> The T-Band Act repeals section 6103 of the Middle Class Tax Relief and Job Creation Act of 2012, which had mandated that the Commission reallocate and auction frequencies used by public safety eligibles in the 470-512 MHz spectrum band (T-Band Mandate).<sup>2</sup>

2. In June 2020, the Commission adopted a Notice of Proposed Rulemaking in the above-captioned proceeding.<sup>3</sup> The Commission adopted the *T-Band NPRM* as “the commencement of the process to meet each of the statutory deadlines and directives” in the T-Band Mandate.<sup>4</sup> In initiating the rulemaking, the Commission noted that implementing the T-Band Mandate posed significant challenges and potential harm to first responder communications, and that multiple bills had been introduced in Congress to repeal the Mandate.<sup>5</sup> The T-Band Act has now repealed the T-Band Mandate in its entirety, thus eliminating the statutory mandate to reallocate and auction T-Band spectrum occupied by public safety licensees. In the absence of the statutory mandate that was the predicate for the *T-Band NPRM*, we therefore terminate this proceeding.<sup>6</sup>

3. Accordingly, **IT IS ORDERED**, that PS Docket No. 13-42 **IS TERMINATED**, effective as of the release date of this order.

<sup>1</sup> Consolidated Appropriations Act, 2021, Pub. L. No. 116-260, Division FF, Title IX, section 902 (2020).

<sup>2</sup> Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, Title VI, 125 Stat. 156 (2012). Section 6103 was codified as 47 U.S.C. § 1413.

<sup>3</sup> *Reallocation of 470-512 MHz (T-Band) Spectrum*, Notice of Proposed Rulemaking, PS Docket No. 13-42, FCC 20-89, 35 FCC Rcd 6896 (2020) (*T-Band NPRM*).

<sup>4</sup> *T-Band NPRM*, 35 FCC Rcd at 6897 para. 2.

<sup>5</sup> *Id.* at 6901 para. 11.

<sup>6</sup> *See id.* *See also* 47 CFR § 90.303.

4. This action is taken under delegated authority pursuant to sections 4(j) and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. sections 4(j), 303(r); section 902 of the Consolidated Appropriations Act, 2021, Pub. L. No. 116- 260, and sections 0.131, 0.191(a), 0.331 and 0.392 of the Commission's Rules, 47 CFR sections 0.131, 0.191(a), 0.331, 0.392.

FEDERAL COMMUNICATIONS COMMISSION

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Donald Stockdale, Chief  
Wireless Telecommunications Bureau

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Lisa M. Fowlkes, Chief  
Public Safety and Homeland Security Bureau